IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL SECOND APPEAL No. 474 of 2005

MADAN LAL
V/S
LRS OF NANA LAL & ANR

Mr. SL JAIN, for the appellant / petitioner

Date of Order : 13.9.2006

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the appellant and perused the impugned judgment.

The two learned courts below have recorded concurrent findings of fact about the window, and that finding is not shown to be vitiated on any of the grounds available under Section 100 C.P.C.

Regarding counter claim, I do not find any issue to have been framed, and on being asked the learned counsel pointed out that issue no.3 relates to counter claim. A look at the judgment of the learned lower Appellate Court shows that it has upheld the dismissal of the counter claim on the ground that the defendant even in his statement has not said a word about it. Learned counsel could not point

out this finding also to be vitiated on any of the grounds available under Section 100 C.P.C.

The appeal thus does not involve any substantial question of law, and the same is, therefore, dismissed summarily.

(N P GUPTA),J.

/Sushil/